

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DANIEL B. GRAVES, Plaintiff, v. DEUTSCHE BANK SECURITIES, INC., Defendant.	CIVIL ACTION NO. 1:07-cv-05471-BSJ-KNF (Electronically Filed)
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**DECLARATION OF RICHARD T. SEYMOUR IN SUPPORT
OF PLAINTIFF'S CONSENTED NOTICE OF MOTION AND
MOTION FOR LEAVE TO AMEND AND SUPPLEMENT THE
COMPLAINT**

I make the following declaration subject to the penalties for perjury under the laws of the
United States of America:

1. I am one of the attorneys for plaintiff in this action.
2. Attachment A hereto is a Notice of Dismissal for Administrative Convenience issued by the
New York State Division of Human Rights, dismissing plaintiff's charge of age discrimination and
retaliation. The document is dated July 9, 2007, and I received the document by facsimile on that
date. As of this date, the original has not arrived in the mail.
3. Attachment B hereto is plaintiff's proposed Amendment to, and Supplementation of, his
Complaint.

I have executed this Declaration in Washington, D.C., on August 7, 2007. Further declarant
sayeth not.


RICHARD T. SEYMOUR

Attachment A

NEW YORK STATE
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION OF
HUMAN RIGHTS on the Complaint of

DANIEL B. GRAVES,

Complainant,

v.

DEUTSCHE BANK AG NEW YORK,

Respondent.

DETERMINATION AND
ORDER OF DISMISSAL FOR
ADMINISTRATIVE
CONVENIENCE

Case No.
10118308

Federal Charge No. 160-2004-02829

On 7/20/2004, Daniel B. Graves filed a verified complaint with the New York State Division of Human Rights ("Division") charging the above-named respondent with an unlawful discriminatory practice relating to employment because of age in violation of N.Y. Exec Law, art. 15 ("Human Rights Law").

Pursuant to Section 297.3 of the Human Rights Law, the Division finds that noticing the complaint for hearing would be undesirable and the complaint, therefore, is ordered dismissed on the grounds of administrative convenience for the following reason(s):

Complainant has elected to pursue the matter in Federal Court where the question of age discrimination can be resolved.

Processing the complaint will not advance the State's human rights goals.

Section 297.9 of the Human Rights Law provides that:

... where the Division has dismissed such complaint on the grounds of the administrative convenience, ... such person shall maintain all rights to bring suit as if no complaint had been filed.

PLEASE TAKE NOTICE that any party to this proceeding may appeal this Determination to the New York State Supreme Court in the County wherein the alleged unlawful discriminatory practice took place by filing directly with such court a Notice of Petition and Petition within sixty (60) days after service of

this Determination. A copy of this Notice and Petition must also be served on all parties including General Counsel, State Division of Human Rights, One Fordham Plaza, 4th Floor, Bronx, New York 10458. DO NOT FILE THE ORIGINAL NOTICE AND PETITION WITH THE STATE DIVISION OF HUMAN RIGHTS.

Your charge was also filed under the Age Discrimination in Employment Act (ADEA). Enforcement of the aforementioned law(s) is the responsibility of the U.S. Equal Employment Opportunity Commission (EEOC). You have the right to request a review by EEOC of this action. To secure review, you must request it in writing, within 15 days of your receipt of this letter, by writing to EEOC, New York District Office, 33 Whitehall Street, 5th Floor, New York, New York 10004-2112. Otherwise, EEOC will generally adopt our action in your case.

Dated: July 9, 2007
New York, New York

STATE DIVISION OF HUMAN RIGHTS

By: Wilson P. Ortiz
Wilson P. Ortiz
Acting Regional Director



NEW YORK STATE
DIVISION OF HUMAN RIGHTS
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ELIOT SPITZER
GOVERNOR

KUMIKI GIBSON
COMMISSIONER

FAX COVER SHEET

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DATED: July 9, 2007

PLEASE DELIVER TO: Richard T. Seymour, Esq.

FAX NUMBER DIALED: (800) 805-1065

TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 3

RE: Daniel B. Graves v. Deutsche Bank AG New York
CASE NO. 10118308

FROM: Wilson P. Ortiz, Regional Coordinator
PHONE: (212) 961-8650
FAX: (212) 961-4425

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MESSAGE:

PLEASE CONTACT THIS OFFICE
IF YOU DO NOT RECEIVE LEGIBLE COPIES OF ALL PAGES
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Attachment B

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DANIEL B. GRAVES, Plaintiff, v. DEUTSCHE BANK SECURITIES, INC., Defendant.	CIVIL ACTION NO. 1:07-cv-05471-BSJ-KNF (Electronically Filed)
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**PLAINTIFF'S AMENDMENT TO, AND
SUPPLEMENTATION OF, HIS COMPLAINT**

Plaintiff amends and supplements ¶¶ 130 and 131 of the Complaint to state as follows:

130. The New York State Division of Human Rights never communicated with plaintiff, and on May 29, 2007, plaintiff informed the Division that he was planning on filing suit, and requested by facsimile transmission and by mail that the Division dismiss his charge for administrative convenience. On July 9, 2007, the New York State Division of Human Rights issued its Notice of Dismissal for Administrative Convenience of plaintiff's charge of age discrimination and retaliation. A copy of the Notice is attached hereto as Attachment D.

131. Pursuant to the City Human Rights Law, § 8-502(d) of the Administrative Code, plaintiff's time for filing suit under the City Human Rights Law was tolled during the time his complaint was before the New York State Division of Human Rights, i.e., from August 6, 2004, through the July 9, 2007, dismissal of that complaint for administrative convenience.

Respectfully submitted,

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By: /s/
Richard T. Seymour (RS-8094)
Attorneys for Plaintiff

Dated: August 7, 2007